

**REMARKS**

A replacement sheet of drawings is submitted herewith in response to the objection to the drawing.

The Examiner has rejected claims 1-11, 13, 15, 16, 18 and 19 as anticipated by Eryurek (US 2005/0007249). Eryurek does not disclose formulating a problem of achieving a desired dynamic response and at least one system life goal for a window spanning one or more time steps as a solution to a nonlinear program problem using methods of model predictive control as claimed in claim 1, or implementing a balance between a desired dynamic response and at least one system life goal in a model predictive controller to generate a plurality of actuator commands as claimed in claims 7 and 19. Even if the "health index" or "HI" in Eryurek could be considered a "life goal" (paragraph 170 of Eryurek), the health index is not a basis for formulating the problem of achieving a goal a solution to a nonlinear program problem. Nor does the system in Eryurek ever "balance" the health index with a desire to achieve a dynamic response. Therefore claims 1, 7 and 19 are patentable.

If any fees or extensions are required, please charge to Deposit Account No. 50-1482.

Respectfully submitted,

**CARLSON, GASKEY & OLDS**

A handwritten signature in dark ink, appearing to read 'John E. Carlson', is written over a horizontal line.

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